IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 12TH SEPTEMBER 2006 / 21ST BHADRA 1928

Bail Appl..No. 5324 of 2006

CMP.4443/2006 of J.M.F.C.,KASARAGOD
CRIME NO.356/2006 OF KASARGOD POLICE STATION

.....

PETITIONER.

ABDUL RAHIMAN @ MONU,
S/O.KUNHAPPA, C.A.ABDULLA THAYATH VILLA,
R.D.NAGAR, KASARAGOD.

BY ADV. SRI.T.B.SHAJIMON

RESPONDENTS: COMPLAINANT.

THE SUB INSPECTOR OF POLICE,
KASARAGOD POLICE STATION, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/09/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5324/2006

DATED THIS THE 12TH DAY OF SEPTEMBER, 2006

O R D E R

The petitioner was arrested on 9.7.2006, by the Kasaragod Police Station authorities, who registered crime No.356/2006 of that police station for the offence punishable under Section 55(a) of the Abkari Act and also under Sections 279 and 338 IPC. It is submitted by the prosecution that the petitioner had transported 1,200 packets of karnataka made arrack, each packet containing 100 ml, in a vehicle, on 21.5.2006, which met with an accident and the contraband was seized. The petitioner is in judicial custody from 10.7.2006. Hence this application, under Section 439 Cr.P.C.

2. After hearing both sides and considering the submissions made by either side, I grant bail and release the petitioner from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class-I, Kasaragod.

(b). The petitioner shall report before the Investigating Officer, once in a week on every Tuesday, between 10.00 a.m and 11.00 a.m., for a period of three months, starting from 19.9.2006, and thereafter, on the first working day of every month, between the same timings, till the completion of the trial and disposal of the case.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs